

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:08-00215

CURTIS WATKINS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On October 7 and 11, 2013, the United States of America appeared by C. Haley Bunn, Assistant United States Attorney, and the defendant, Curtis Watkins, appeared in person and by his counsel, Lex A. Coleman, Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Joseph Black. The defendant commenced a three-year term of supervised release in this action on July 6, 2011, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on October 22, 2009. The court notes that the amendment was withdrawn and not pursued by the government.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the federal crime of felon in possession of a firearm as evidenced by his guilty plea in this court on October 7, 2013, and the factual basis given in connection therewith, to the one-count indictment filed on April 17, 2013, in Case No. 2:13-00120 charging a violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2); (2) the defendant committed the federal and state crime of possession of cocaine base on September 25, 2012, at which time law enforcement recovered 3.6 grams of crack cocaine from his person¹ as evidenced by his admission on the record of the hearing that the government possesses sufficient evidence to prove the offense by a preponderance of the evidence; and (3) that the defendant failed to maintain regular employment since his term of supervised release began on July 6, 2011; all as set

¹ The court notes that the petition alleges that the defendant was in possession of cocaine inasmuch as on September 25, 2012 it field tested positive for cocaine; however, as more fully set forth on the record of the hearing, the government informed the court that the substance was lab tested and tested positive for cocaine base, to which the defendant agreed.

forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

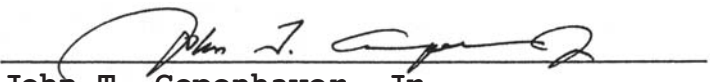
It is ORDERED that sentencing be continued so that it may be held at the same time as sentencing in Criminal No. 2:13-00120 and is accordingly scheduled for 1:30 p.m. on January 9, 2014.

The defendant was remanded to the custody of the United States Marshal pending sentencing.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: October 29, 2013

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John T. Copenhaver, Jr.
United States District Judge